

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Petitioner,)
)
 v.) No. 4:09MC00123-CDP
)
TIMOTHY A. ELLEBRACHT,)
)
 Respondent.)

ORDER

This matter is before the Court on the Court's Show Cause Order dated February 26, 2009. The Petitioner and the Respondent having appeared before this Court on the 16th of April 2009, and based upon the Petition filed in this action and the exhibits attached thereto, including the Declaration of Consuela Henderson, Revenue Officer for the Internal Revenue Service,

IT IS HEREBY ORDERED that Respondent TIMOTHY A. ELLEBRACHT comply with the Internal Revenue Service summons issued on September 24, 2008;

IT IS FURTHER ORDERED that Respondent TIMOTHY A. ELLEBRACHT obey each and every requirement of the September 24, 2008 summons, in particular, that he produce the books, papers, records, or other data as is required and called for by the terms of the summons, before Consuela Henderson no later than

May 11, 2009;

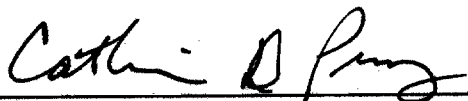
IT IS FURTHER ORDERED that in accordance with the summons and the Petition, Respondent TIMOTHY A. ELLEBRACHT shall produce, to wit:

All documents and records Respondent possesses or controls reflecting the receipt of taxable income by Respondent for the calendar years ending December 31, 2006 and 2007, including but not limited to: statement of wages for the years 2006 and 2007, statements regarding interest or dividend income for the years 2006 and 2007; employee earnings statements for years 2006 and 2007; records of deposits to bank accounts during the years 2006 and 2007 and any and all other books, records, documents, and receipts regarding wages, salaries, tips, fees, commissions, and any other compensation for services (including gains from dealings in property, interest, rental, royalty and dividend income, alimony, annuities, income life insurance policies and endowment contracts, pensions, income from the discharge of indebtedness, distributive shares of partnership gross income, and income from an estate or trust).

The time frame for the documents to be produced according to the summons and Petition encompass not only the periods of calendar years 2007, but also extends through the date of this Order; and

IT IS FURTHER ORDERED that this matter be continued until May 15, 2009 at 2 ~~am~~./p.m., at which time Respondent, TIMOTHY A. ELLEBRACHT, shall appear before the undersigned, in Courtroom No. 14 South, of the Thomas F. Eagleton U.S. Courthouse, 111 South 10th Street, St. Louis, Missouri 63102.

SO ORDERED:

A handwritten signature in cursive script, appearing to read "Catherine D. Perry", is written over a horizontal line.

HONORABLE CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 16th day of April 2009.